IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 4TH JULY 2006 / 13TH ASHADA 1928

Bail Appl..No. 3755 of 2006()

CMP.2130/2006 of J.M.F.C., ADOOR
CRIME NO.228/2006 OF PANDALAM POLICE STATION

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PETITIONER/IST ACCUSED

THULASI, W/O.SATHYAM,
SASTHAMTHARA VEEDU, MUDIYOORKONAM MURI,
PANDALAM.

BY ADV. SRI.D.KISHORE

RESPONDENTS: STATE AND COMPLAINANT
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1. STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
PANDALAM POLICE STATION, PATHANAMTHITTA DISTRICT.

BY PUBLIC PROSECUTOR SRI.T.K.KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 3755 of 2006

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Dated this the 4th day of July, 2006

O R D E R

The petitioner is the first accused in Crime No.228/2006 of Pandalam Police Station. The offence alleged against the accused are under Sections 8(1) and 8(2), and Section 55(f) and (g) of the Abkari Act. It is alleged that on 01/06/2006, at about 3.30 p.m, the petitioner and four others were found manufacturing arrack near the house of the petitioner and the police party had seized 35 litres of arrack and 105 litres of wash. The petitioner, a woman, remains in judicial custody from 02/06/2006. Hence this application for bail.

2. I heard both sides. There is no other crime reported against her from the police station. There is no instructions from the Excise Range Officials of the area.

3. In the circumstances of this case, I grant bail and release the petitioner from jail, subject to the following conditions:-

i. The petitioner shall execute a bond for

Rs.25,000/-, with two solvent sureties each for the like sum, to the satisfaction of the J.F.C.M, Adoor.

ii. If the petitioner is found engaged in illicit distillation or found violating any provisions of the Abkari Act, the police station authorities or the excise range authorities of the area shall bring the same to the notice of the Magistrate court, who shall accordingly pass appropriate orders, cancelling the bail, without waiting for any further orders from this Court.

(J.M.JAMES)
Judge

ms